Remarks

Claims 1, 8, and 18 were previously amended. Claims 1, 8, and 18 are presently amended. Claims 1-25 are pending in this application. The Examiner has rejected claims 1-4, 6-9, 11, 13-21, and 23-25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,173,317 to Chaddha, et al. (hereinafter "Chaddha"). The Examiner has rejected claims 5, 10, and 22 under 35 U.S.C. § 103(a) as being unpatentable over Chaddha in view of U.S. Patent No. 7,007,098 to Smyth, et al. (hereinafter "Smyth"). Applicants respectfully traverse the Examiner's rejections.

A.   **Objections to Independent Claims 1, 8, and 18**

Independent claims 1, 8, and 18 have been amended, as per Examiner's suggestions, to overcome Examiner's objections. Office Action at 2-3. Applicants respectfully request withdrawal of the objections to independent claims 1, 8, and 18.

B.   **Remarks Regarding Rejection of Claims 1-4, 6-9, 11, 13-21, and 23-25 Under 35 U.S.C. § 103(a)**

To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is nonobvious. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

Chaddha does not render the amended independent claims of the present invention obvious. Specifically, Chaddha fails to teach or suggest "wherein the thin media client is not responsible for performing the pre-processing functions related to the data stream" as required by independent claims 1, 8, and 18. Chaddha discusses a computer system 100 that has, among

other devices, attached to it a display 104. Chaddha at 4:33-36; Figure 1. Chaddha also teaches that the client computers 240 depicted in Figure 2 can be implemented utilizing computer system 100. Chaddha at 5:10-16. Figure 9 of Chaddha also includes a client computer 240. Chaddha at 8:31-39. All of the client computers discussed in Chaddha perform pre-processing functions related to the data stream. Examiner agrees in that Examiner states that Chaddha teaches that "**most** of the processing occurs prior to the stream being received at the web browser." Office Action at 4. Essentially, Examiner agrees that at least some pre-processing functions related to the data stream are performed by the client computers of Chaddha. Thus, Chaddha cannot render obvious the independent claims 1, 8, and 18.

Also, Chaddha fails to disclose a thin media client. Examiner agrees by stating that Chaddha "does not explicitly recite a thin media client." Office Action at 4. Chaddha discusses that the computer systems depicted as element 204 can be implemented using computer system 100. Chaddha at 5:12-16. The Specification explicitly states that pre-processing tasks include decoding and encoding. Specification at 6:19-21. The client computer of Chaddha is depicted including at least a decoder. *See, e.g.*, Chaddha at Figure 9, element 964.

Further, Chaddha does not disclose a thin media client that is operable to request and receive status information from a network device as required by the independent claims. Rather, Chaddha discloses client computers, as opposed to thin media clients, capable of retrieving and displaying multimedia streams such as video and audio but does not indicate that status information can be transmitted as digital media content or digital data.

As Chaddha fails to teach or suggest each and every element of amended independent claims 1, 8, and 18, Chaddha does not render obvious these claims. Applicants respectfully submit that these amended independent claims are allowable. Additionally,

Applicants submit that dependent claims 2-7, 9-17, and 19-25 are allowable as they depend from otherwise allowable base claims.
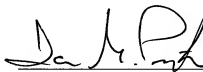
C. No Waiver

All of Applicants' arguments and amendments are without prejudice or disclaimer. Additionally, Applicants have merely discussed example distinctions from the cited references. Other distinctions may exist, and Applicants reserve the right to discuss these additional distinctions in a later Response or on Appeal, if appropriate. By not responding to additional statements made by examiner, Applicants do not acquiesce to examiner's additional statements, such as, for example, any statements relating to what would be obvious to a person of ordinary skill in the art. The example distinctions discussed by Applicants are sufficient to overcome the anticipation rejections. The current amendments to the claims are sufficient to overcome the obviousness rejections

Conclusion

Applicants respectfully submit that the pending claims 1-25 of the present invention, as amended, are allowable. Applicants respectfully request that the rejection of the pending claims be withdrawn and that these claims be passed to issuance.

Respectfully submitted,

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